

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ACURA PHARMACEUTICALS, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 13-750 (RGA)
)	
RANBAXY INC. and RANBAXY)	
LABORATORIES LTD.,)	
)	
Defendants.)	

STIPULATION AND ORDER STAYING THE LITIGATION

WHEREAS Plaintiff Acura Pharmaceuticals, Inc. ("Acura") brought the above-captioned action against Defendants Ranbaxy Inc. and Ranbaxy Laboratories Ltd. (collectively "Ranbaxy"), on April 29, 2013, alleging infringement of U.S. Patent No. 7,510,726 ("the '726 patent"), based on Ranbaxy's submission of Abbreviated New Drug Application No. 20-4056 ("the Ranbaxy action");

WHEREAS, Acura has commenced similar cases which also relate to the alleged infringement of the '726 patent against Impax Laboratories, Inc. ("Impax"), *Acura Pharmaceuticals, Inc. v. Impax Laboratories, Inc.*, Civil Action No. 1:12-cv-01371-RGA ("the Impax action"), Par Pharmaceutical, Inc. ("Par"), *Acura Pharmaceuticals, Inc. v. Par Pharmaceutical, Inc.*, Civil Action No. 1:12-cv-01372-RGA ("the Par action"), and Sandoz Inc. ("Sandoz"), *Acura Pharmaceuticals, Inc. v. Sandoz Inc.*, Civil Action No. 1:12-cv-01373-RGA ("the Sandoz action");

WHEREAS, Ranbaxy has filed counterclaims seeking a declaratory judgment of non-infringement and invalidity of the '726 patent and U.S. Patent Nos. 7,201,920 ("the '920 patent"); 7,981,439 ("the '439 patent"); and 8,409,616 ("the '616 patent");

WHEREAS, the parties to the Ranbaxy action have agreed to a procedure to streamline and expedite resolution of disputed issues and conserve the parties' and judicial resources, by staying this action during the pendency of the Impax, Par, and Sandoz actions;

IT IS HEREBY STIPULATED, subject to approval of the Court:

1. The Ranbaxy action is stayed in its entirety pending resolution of the Impax, Par, and Sandoz actions in this Court.
2. A status conference in the Ranbaxy action shall be held at 8:30 A.M. on April 1, 2014.
3. Should the stay of the Ranbaxy action be lifted, Acura will file its Reply to Ranbaxy's counterclaims relating to the '726, '920, '439, and '616 patents within 14 days of the date the stay is lifted.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

PHILLIPS, GOLDMAN & SPENCE, P.A.

/s/ Maryellen Noreika

/s/ Megan C. Haney

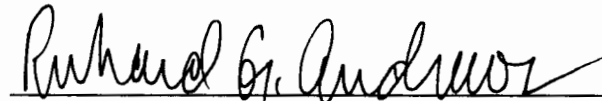
Jack B. Blumenfeld (#1014)
Maryellen Noreika (#3208)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com
mnoreika@mnat.com

John C. Phillips, Jr. (#110)
Megan C. Haney (#5016)
1200 North Broom Street
Wilmington, DE 19806
(302) 655-4200
jcp@pgslaw.com
mch@pgslaw.com

Attorneys for Acura Pharmaceuticals, Inc.

*Attorneys for Ranbaxy Inc. and Ranbaxy
Laboratories Ltd.*

SO ORDERED 18th day of September 2013.


Hon. Richard G. Andrews
United States District Judge